

UNITED STATES DISTRICT COURT

District of New Jersey

Chambers of
William H. Walls
Senior District Judge

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Martin Luther King Jr.
Federal Courthouse
50 Walnut Street
Newark, New Jersey 07102

NOT FOR PUBLICATION
LETTER ORDER
ORIGINAL ON FILE WITH CLERK OF COURT

Arthur Edmonds
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FCI Cumberland
PO Box 1000
Cumberland, MD 21501

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September 22, 2011

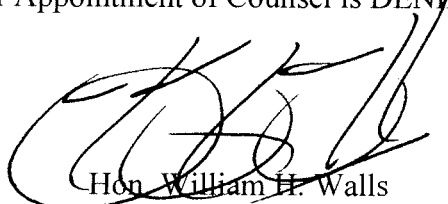
Re: United States v. Arthur Edmonds; Crim. No. 03-258 (WHW)
Second Motion for Reduction of Sentence Pursuant to 18 U.S.C. § 3582(c)(2)

Dear Mr. Edmonds:

I have received your motion, filed on November 16, 2011, for appointment of counsel to file for a sentencing reduction under the "New Fair Sentencing Act." You appear to be seeking reduction of your sentence under 18 U.S.C. § 3582(c). You previously moved for the same relief in Document 20, filed August 24, 2009. I denied your previous motion for reduction of sentence in a letter order filed September 2, 2009. Your current motion is denied for the same reasons set out in that letter order. You are not eligible for reduction of your sentence because you were sentenced as a career offender with a sentencing range determined by the Guidelines in § 4B1.1. Amendment 706 does not affect the sentencing range for career offenders. See United States v. Mateo, 560 F.3d 152, 155 (3d Cir. 2009) ("Because Amendment 706 does not lower Mateo's sentencing range due to his status as a career offender, he may not seek reduction in sentence under § 3582(c)(2).").

CONCLUSION

It is on this 22nd day of November, 2011,
ORDERED that Arthur Edmond's Motion for Appointment of Counsel is DENIED.


Hon. William H. Walls
United States District Judge